

09-25-01

CPA 1/771/10

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Large Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

SHC0029-01

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

Joshio Kobayashi et al.

Elizabeth M. Cole

1771

Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

This is a request for filing a ☐ continuation, or ☒ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/220,223 filed on December 23, 1998 and entitled:

NONWOVEN FABRIC AND METHOD FOR MAKING THE SAME

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

09/27/2001 GTEFFERA 00000041 09220223

01 FC:131

710.00 OP

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed:
- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations
6. ☒ The fee for this application is calculated as follows:

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	10	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
TOTAL FILING FEE					\$710.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 02-03085

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$710.00 is enclosed.

9. ☐ Also enclosed:

10. ☐ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

RECEIVED
SEP 28 2001
TC 1700

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Large Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

NOTES

Submit an original, and a duplicate for fee processing.

FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

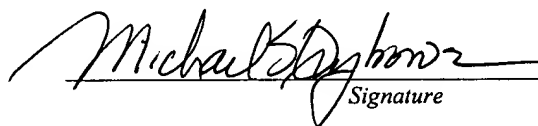
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: September 24, 2001


Signature

Michael S. Gzybowski

Typed or printed name

32,816

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

RECEIVED
SEP 28 2001
TC 1700

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Toshio Kobayashi et al.

Docket No.

SHC0029-01

Serial No.

09/220,223

Filing Date

December 23, 1998

Examiner

Elizabeth Cole

Group Art Unit

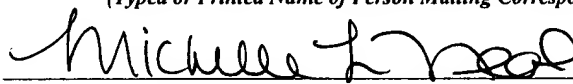
1771

Invention: **NONWOVEN FABRIC AND METHOD FOR MAKING SANE**

I hereby certify that the following correspondence:

CONTINUED PROSECUTION APPLICATION*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

SEPTEMBER 24, 2001*(Date)*MICHELLE L. NEAL*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EL731385945US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

\$710.00

Complete if Known

Application Number	09/220,223
Filing Date	December 23, 1998
First Named Inventor	Toshio Kobayashi et al.
Examiner Name	E. Cole
Group Art Unit	1771
Attorney Docket No.	SHC0029-01

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-0385**
Deposit Account Name **BAKER & DANIELS**

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355 Utility filing fee	710.00
106	320	206	160 Design filing fee	
107	490	207	245 Plant filing fee	
108	710	208	355 Reissue filing fee	
114	150	214	75 Provisional filing fee	
SUBTOTAL (1)				\$710.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid	
10	-20** = 0	X	0.00	
Independent Claims	2	-3** = 0	X	0.00
Multiple Dependent				

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9 Claims in excess of 20	
102	80	202	40 Independent claims in excess of 3	
104	270	204	135 Multiple dependent claim, if not paid	
109	80	209	40 ** Reissue independent claims over original patent	
110	18	210	9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				\$0.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non - English specification	
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	390	216	195 Extension for reply within second month	
117	890	217	445 Extension for reply within third month	
118	1,390	218	695 Extension for reply within fourth month	
128	1,890	228	945 Extension for reply within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,240	241	620 Petition to revive - unintentional	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR § 1.17(q)	
126	180	126	180 Submission of Information Disclosure Statement	
581	40	581	40 Recording each patent assignment per property (times number of properties)	
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify)				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

SUBMITTED BY

Name (Print/Type)	Michael S. Gzybowski	Registration No. (Attorney/Agent)	32,816	Telephone	219-424-8000
Signature	<i>Michael S. Gzybowski</i>			Date	September 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group
Art Unit: 1771

Attorney
Docket No.: SHC0029

Applicant: Toshio KOBAYASHI et al.

Invention: NONWOVEN FABRIC AND METHOD FOR
MAKING THE SAME

Serial No: 09/220,223

Filed: December 23, 1998

Examiner: Elizabeth M. Cole

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231

on September 24, 2001

Michael S. Gzybowski

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to continuing the examination of the above-identified application, please amend the application as follows:

IN THE CLAIMS

Please add new claims 9 - 12 as follows:

--9. A nonwoven fabric containing thermoplastic microfibers, said nonwoven fabric comprising:
thermoplastic synthetic fibers being about 5 to about 30 mm long and as fine as about 0.1 to 0.8 d, in about 90 to 10% by weight, mixed and mechanically entangled with pulp fibers being about

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2 to 7 mm long, in about 10 to 90% by weight, so as to have a basis weight of about 10 to 80 g/m² as a whole,

said fabric being in the form of a sheet having a plurality of protuberances that project from a surface of the sheet, said protuberances having curved peaks.--

--10. A nonwoven fabric according to claim 1, wherein each of the protuberances has a base continuous with the surface of the sheet, a peak and a diameter which gradually decreases from the base toward the peak.--

--11. A nonwoven fabric according to claim 1, wherein a water absorbability of the plurality of protuberances is substantially equal to a water absorbability of areas between the plurality of protuberances.--

--12. A nonwoven fabric according to claim 1, wherein the nonwoven fabric has a cross section in the form of undulations which continue in at least one direction of the nonwoven fabric.--

••• R E M A R K S •••

By the present amendment independent new claims 9-12 have been added. New claim 9 includes the limitations from original claim 1 and further recites that the protuberances have curved peaks. Support for this limitation can readily found in Fig. 2.